

14

Remarks

Claims 1-6, 8-13, 17 and 21-35 are pending in the case.

Claims 5, 6, 8-13 and 17 are withdrawn.

Claims 7, 14-16 and 18-20 are cancelled.

Pursuant to the Notice of Non-Compliant Amendment mailed on August 18, 2006, the document entitled "RESTRICTION RESPONSE - Amendment 'A'" of March 3, 2006 ("Amendment A Document") has been modified as follows: (1) all Amendments to the Specification have been modified to meet the form requirements for such amendments; and (2) the status identifiers of Claims 5 through 20 have been modified to conform to the requirements for such amendments.

More specifically, with regard to the Amendments to the Specification, the five individual amendments included in the Amendment A Document have been modified to conform to the requirements for amendment of the Specification. Specifically, complete replacement paragraphs have been included denoting the deleted portion of said paragraphs and the corresponding replacement text. With regard to the fifth and final amendment to the specification (the insertion of

Inventors: Barger and Hubbell
Title: Portable Crane/Winch/Hoist
Serial No.: 10/657,029

Filed: April 20, 2004
Atty Docket No.: 15294
Date: February 19, 2007

15

several paragraphs of new text), an unmarked version of the text to be newly added to the Specification has been included along with a more detailed description of the location for insertion of said text.

With regard to the Amendments to the Claims, the status identifiers for Claims 5, 8, 9 and 17 have been changed from "Currently Amended" to "Withdrawn - Currently Amended." The changes to the status identifiers of Claims 5 and 17 are made in response to Applicant's election of "Group I" in the Amendment A Document. The changes to the status identifiers of Claims 8 and 9 are made in response to Applicant's election of Specie I in the Amendment A Document. Note that these Claims have been identified as "Withdrawn - Currently Amended" (and not simply "Withdrawn") based on the arguments set forth in the "Remarks" of the Amendment A Document. Specifically, as these Claims have been amended so that they are dependent on Claim 1, they are now allowable and should be reinstated. Moreover, as Claim 1 has been amended as an allowable generic claim, the Specie Restriction should be lifted, thereby making Claims 8 and 9 allowable.

Inventors: Barger and Hubbell
Title: Portable Crane/Winch/Hoist
Serial No.: 10/657,029

Filed: April 20, 2004
Atty Docket No.: 15294
Date: February 19, 2007

16

The status identifiers for Claim 6, and Claims 10 through 13, have been changed from "Deleted" to "Withdrawn." Per the form requirements for amendments to claims, the text of the Withdrawn claims has been included.

The status identifiers for Claims 7, 14 through 16, and 18 through 20 have been changed from "Deleted" to "Cancelled."

Additionally, note that newly added (via the Amendment A Document) Claims 21 through 35 have not been modified or included in this Response as no reference was made to them in the Notice of Non-Compliant Amendment.

With regard to any substantive issues surrounding the Amendment A Document, this Response to the Notice of Non-Compliant Amendment does hereby incorporate by this reference the "Remarks" section of said Amendment A Document insofar as it is applicable. It should be further noted that no changes to the Amendments in the Amendment A Document are intended with regard to Claims 1 through 4. If any such changes appear to have been made in this Response, they are in error and should be disregarded. Claims 1 through 4 should remain as submitted in the Amendment A Document.

Inventors: Barger and Hubbell
Title: Portable Crane/Winch/Hoist
Serial No.: 10/657,029

Filed: April 20, 2004
Atty Docket No.: 15294
Date: February 19, 2007

17

Finally, Applicants are now being represented by new legal counsel who is a registered patent attorney (Reg. # 33,643) as evidenced by the Power of Attorney forms filed via facsimile on February 15, 2007 (copies of which are included with this Response). Counsel's address and other contact information is presented at the signature line below. Counsel's Customer Number 30238 and Docket No. 15294 are contained in the heading hereof. Applicants would like to specifically thank the Examiner's Supervisor for taking the time to discuss the issues involved in the Notice of Non-Compliant Amendment of August 18, 2006 with the Applicants' new Counsel. In particular, the Examiner's Supervisor was very helpful in explaining the reasons that the Amendments to the Specification were rejected (failure to include the entire paragraph wherein a change was made) as well as the likely reasons the Amendments to the Claims were rejected (failure to mark certain Amendments as "Withdrawn - Currently Amended" as opposed to "Currently Amended").

Based on the above amendments and remarks, it is submitted that all of the claims remaining in the case are

Inventors: Barger and Hubbell
Title: Portable Crane/Winch/Hoist
Serial No.: 10/657,029

Filed: April 20, 2004
Atty Docket No.: 15294
Date: February 19, 2007

18

allowable. If the Examiner feels a telephone conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this attorney at (504) 585-3803.

Respectfully submitted,


Raymond G. Areaux (#33,643)

Direct Telephone: (504) 585-3803

Carver, Darden, Koretzky,

Tessier, Finn, Blossman &

Areaux, L.L.C.

1100 Poydras Street

2700 Energy Centre

New Orleans, LA 70163

Main Telephone: (504) 585-3800

Facsimile: (504) 585-3801

Inventors: Barger and Hubbell
Title: Portable Crane/Winch/Hoist
Serial No.: 10/657,029

Filed: April 20, 2004
Atty Docket No.: 15294
Date: February 19, 2007